

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c)) - - SMALL BUSINESS CONCERN

Docket No. 4012-113

Applicant:

Title:

Filing Date: August 14, 1998

(EXPRESS MAIL FILING UNDER 37 CFR 1.10)

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN:

Protein Delivery, Inc.

ADDRESS OF SMALL BUSINESS CONCERN:

2300 Englert Drive

Durham, North Carolina 27713

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ The specification filed herewith with title as listed above.  
☐ Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_  
☐ U.S. Patent No. \_\_\_\_\_ Issued \_\_\_\_\_

If the rights held by the above-identified independent inventor are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a non-profit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.  
☐ Each such person, concern or organization is listed below:

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at any time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Christopher H Price

TITLE OF PERSON IF OTHER THAN OWNER

CEO

ADDRESS OF PERSON SIGNING

2300 Englert Dr

Durham, NC 27713

SIGNATURE

[Signature]

DATE

8-14-98

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**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "Blood-Brain Barrier Therapeutics", the specification of which

(check one)

☐  
☒  
☐

is attached hereto.

was filed on August 14, 1998 as Application Serial No. 09/134,803 (if applicable).

and was amended \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

☐ yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this specification is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)

(Filing Date)

(Status-Patented, Pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

STEVEN J. HULTQUIST, REG. NO. 28,021  
WILLIAM A. BARRETT, REG. NO. 42,296

All correspondence in connection with this application should be sent to:

4012-113

Steven J. Hultquist  
Intellectual Property/Technology Law  
P. O. Box 14329  
Research Triangle Park, NC 27709  
Telephone: (919) 419-9350

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of sole or first inventor: Nnochiri N. Ekwuribe  
Inventor's Signature: [Signature] Date: 10/12/98  
Residence: 216 College Ave Dr; Cary, NC 27511  
Citizenship: NIGERIA  
Post Office Address: \_\_\_\_\_

Full Name of sole or second inventor: Radhakrishnan Balasingam Radhakrishnan  
Inventor's Signature: B. Radhakrishnan Date: 10/19/98  
Residence: 103 Timber Hollow Ct, #117, Chapel Hill, NC 27514  
Citizenship: Sri Lanka  
Post Office Address: \_\_\_\_\_

Full Name of sole or third inventor: Christopher H. Price  
Inventor's Signature: [Signature] Date: 10.5.98  
Residence: 200 Commons Way Chapel Hill, NC 27516  
Citizenship: USA  
Post Office Address: \_\_\_\_\_

Full Name of sole or fourth inventor: Wesley R. Anderson Jr.  
Inventor's Signature: [Signature] Date: 10/6/98  
Residence: 7512 Crippenham Ct, RALPH, NC 27613  
Citizenship: USA  
Post Office Address: \_\_\_\_\_

NOV. 6.1998

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PROTEIN DELIVERY INC

NO.728

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Full Name of sole or fifth inventor: Aslam M. Ansari

Inventor's Signature [Signature]

Date NOV. 6 / 1998

Residence:

5011 Ashton Ave # E 205, Durham NC 27713

Citizenship:

Indian

Post Office Address:

0942931029  
36207 362460